



Andrey Strutinskiy <astrutinskiy@chittur.com>

Re: FW: Serin

Krishnan Chittur <kchittur@chittur.com>**Fri, Sep 24, 2010 at 3:17 PM**

To: Robert Lillienstein <RLillienstein@mosessinger.com>

Cc: Keith Altman <kaltman@lawampmmt.com>, Jennifer Nigro <jnigro@mosessinger.com>, Andrey Strutinskiy <astrutinskiy@chittur.com>

Rob:

First, there is no question of additional "Rule 26 damage calculations". We have submitted the expert report with all the requisite disclosures for each of the Plaintiffs. As to the documents requested for the expert, while I believe that all of the materials had been previously produced to you, I am having a copy of the disk that was provided to the expert and some promotional materials received from him copied and will have it in your hands for Monday or Tuesday.

Second, the responses to your second request to produce were served together with documents. We are unaware of what you mean by "In some cases, you indicated that you would make them available, but have not done so." Whatever was responsive, has already been produced. If there is confusion about some item, please specify.

Third, your expert had signatures from the plaintiffs sufficient to form an opinion and prepare a report. As you know, you have yourself served us a copy of his report.

Fourth, on the topics of the depositions, we are not willing to stipulate to an adjournment of the trial. These individuals have been identified in accordance with Rule 26 obligations as people who may have knowledge. They have not yet been identified as trial witnesses. None of these additional witnesses identified in our supplementary responses are strangers to Northern Leasing. Other than the ones who were already identified in the original Rule 26 responses, every one of them has been sued by Northern Leasing. We believe that extending out the deposition deadline till the end of October will be more than enough time for all necessary depositions to be taken and still preserve the trial date of 11/15.

I am assuming that you do not believe that 10/31 will be adequate time to complete the depositions. Since we are not in agreement, we will be writing to the court today asking for an extension to 10/31 for the deposition deadline and keeping the 11/15 trial date.

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Yours truly,
K. Chittur, Esq.
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